

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
)	
Modification of the Universal Licensing System to)	RM No. 11308
Allow TV Pickup Stations and Remote Pickup)	
Stations to Document the Locations and Heights)	
of Their Receiver-Only Sites)	
)	

COMMENTS OF SPRINT NEXTEL CORPORATION

Sprint Nextel Corporation (Sprint Nextel) opposes the proposal submitted by the Society of Broadcast Engineers, Incorporated (SBE) to modify the Universal Licensing System (ULS) to document the location and heights of certain broadcast auxiliary receive-only facilities.¹ To the extent SBE's proposed ULS modification seeks to require or encourage all adjacent channel new entrants to engage in prior coordination with legacy Broadcast Auxiliary Service (BAS) facilities, SBE's proposal would impose extraordinary and unnecessary burdens on virtually all wireless licensees. SBE's proposal would, in effect, render all new wireless services secondary to adjacent-channel BAS facilities to the lasting detriment of the public interest.

SBE proposes to incorporate receiver information into a Commission-operated database, and seems to envision some sort of coordination requirement between BAS operations and a host of new wireless services, including the Commercial Mobile Radio Service (CMRS), Advanced Wireless Services (AWS), and Broadband Radio Service (BRS). First, SBE proposes to have CMRS, AWS, and BRS licensees select "different base station locations" to avoid potential interference to BAS facilities.² Second, SBE proposes to have CMRS, AWS, and BRS licensees notify BAS licensees prior to deploying their wireless operations to allow the "newcomer service to

¹ Although Sprint Nextel opposes modifications to the Commission's databases, many private-sector database operators would gladly collect the information that SBE would like the Commission to assemble from the voluntary submissions of BAS licensees.

² Society of Broadcast Engineers, Inc., *Petition for Rulemaking*, RM No. 11308 at 3 (*SBE Petition*).

conduct equipment tests.”³ Third, SBE proposes to require CMRS, AWS, and BRS operators delay testing or deployment until someone – presumably the new wireless communications operators – installs filters on the BAS equipment.⁴ SBE, in other words, seems to envision a costly and time-consuming prior coordination requirement applicable to virtually all new wireless communications even though these new wireless services already comply with existing out-of-band emissions (OOBE) limitations that are intended to protect reasonably configured BAS equipment from harmful interference. In addition, the SBE petition also references a stricter emissions mask that would have the Commission impose limits on CMRS, AWS and BRS operations that go far beyond existing protection levels that these licensees must already offer BAS adjacent channel operations.⁵

SBE has provided no rational or compelling basis to make CMRS, AWS, and BRS operations protect BAS electronic newsgathering (ENG) receive only facilities. Indeed, the requirements that SBE proposes are a solution looking for a problem.⁶ Whether expressly captioned as a new coordination “obligation” or not, SBE’s proposal appears to envision imposing a series of onerous pre-deployment obligations, emission requirements, and other quasi-mandatory obligations on CMRS, AWS, and BRS licensees.⁷ If implemented, these new regulatory burdens

³ *Id.*

⁴ *Id.* (proposing “OOBE filtering” by AWS, CMRS, and BRS base stations, “band pass and/or band rejection filters” for the BAS facilities, “or both”).

⁵ *Id.* at 2 (claiming that CMRS, AWS, and BRS might cause interference to BAS facilities seven kilometers using the well established emission mask of 43dB+10logP, but asserting that the interference distance would be only 0.5 kilometers if the Commission were to impose a much more stringent emissions mask - 67dB+10logP).

⁶ Sprint Nextel is working with the BAS community to reconfigure BAS facilities to a new channelization plan. Sprint Nextel is committed to providing BAS comparable facilities. During the reconfiguration process, however, Sprint Nextel has not become aware of *any* interference issues requiring the extraordinary level of relief that SBE proposes.

⁷ In *ex parte* comments filed in this docket, SBE claims that its petition “does not propose any minimum separation distance to be afforded to a [BAS receive site] by other stations.” Society of Broadcast Engineers, Inc., *Ex Parte* Comments at 2 (Feb. 17, 2006) (SBE *Ex Parte*). SBE states that it seeks to allow “interested parties” to identify BAS sites that “they may want to take into consideration.” *Id.* Based on its initial petition, however, SBE seems to believe that “taking into consideration” the BAS receive sites should mean that AWS, BRS, and CMRS licensees should, among other things, observe tighter emission masks, identify entirely new transmitter locations, or take other pre-deployment coordination steps to prevent interference to BAS equipment.

would delay broadband deployment, raise prices for consumers, and thwart the public interest in delivering new wireless communications services to all Americans. To the extent SBE proposes a prior coordination requirement with CMRS, AWS, and BRS or seeks to impose more stringent emissions limits on CMRS, AWS, and BRS licensees, Sprint Nextel strongly opposes SBE's proposal as unwarranted and contrary to the public interest.

Respectfully submitted,

SPRINT NEXTEL CORPORATION

A handwritten signature in dark ink, appearing to read 'T. Hanbury', with a horizontal line extending to the right.

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